



US Army Corps
of Engineers®

Public Notice

Public Notice No. 07-20

Date: March 5, 2007

Nashville District

Application No. 200700381

Expires: April 4, 2007

Please address all comments to:

Nashville District Corps of Engineers, Regulatory Branch
3701 Bell Road, Nashville, TN 37214

Attn: Floyd M. Carnes

SUBJECT: Proposed Riprap Bank Stabilization at Cumberland River
Mile 171.4, Left Bank, Tract I-911-E, Cheatham Lake, Davidson
County, Tennessee

TO ALL CONCERNED: The application described below has been
submitted for a Department of the Army (DA) Permit pursuant to
**Section 10 of the Rivers and Harbors Act of 1899 and Section 404
of the Clean Water Act(CWA)**. Before a permit can be issued,
certification must be provided by the State of Tennessee,
Division of Water Pollution Control, Department of Environment
and Conservation, pursuant to Section 401 (a)(1) of the CWA, that
applicable water quality standards will not be violated.

APPLICANT: Albert F. Gainer III
7011 River Road Pike
Nashville, Tennessee 37209

LOCATION: Cumberland River Mile 171.4, Left Bank, Tract I-911-E,
Cheatham Lake, Davidson County, Tennessee. USGS SCOTTSBORO, TENN.
Quadrangle, Longitude: 86-56-3.9; Latitude: 36-8-51.8

DESCRIPTION: The proposed work consists of placing approximately
5,000 cubic yards of limestone riprap along 4,000 feet of
shoreline to minimize and prevent further erosion along the
banks. The bottom of the riprap would be at Elevation 384.0.
Elevation 385.0 is the Normal Summer Pool elevation for Cheatham
Lake. The riprap would be placed along the shoreline from the
top of the bank by using a track hoe. The top of the riprap
would be at Elevation 393.0. There would be no grading or
sloping of the banks for the placement of the riprap.
Disturbance to the riparian vegetation would be kept to a
minimum.

Plans of the proposed work are attached to this notice.

The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the work must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the work will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. In addition, the evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b)(1) of the CWA (40 CFR Part 230). A permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

An Environmental Assessment will be prepared by this office prior to a final decision concerning issuance or denial of the requested Department of the Army Permit.

The National Register of Historic Places has been consulted and no properties listed in or eligible for the National Register are known which would be affected by the proposed work. This review constitutes the full extent of cultural resources investigations unless comment to this notice is received documenting that significant sites or properties exist which may be affected by this work, or that adequately documents that a potential exists for the location of significant sites or properties within the

permit area. Copies of this notice are being sent to the office of the State Historic Preservation Officer.

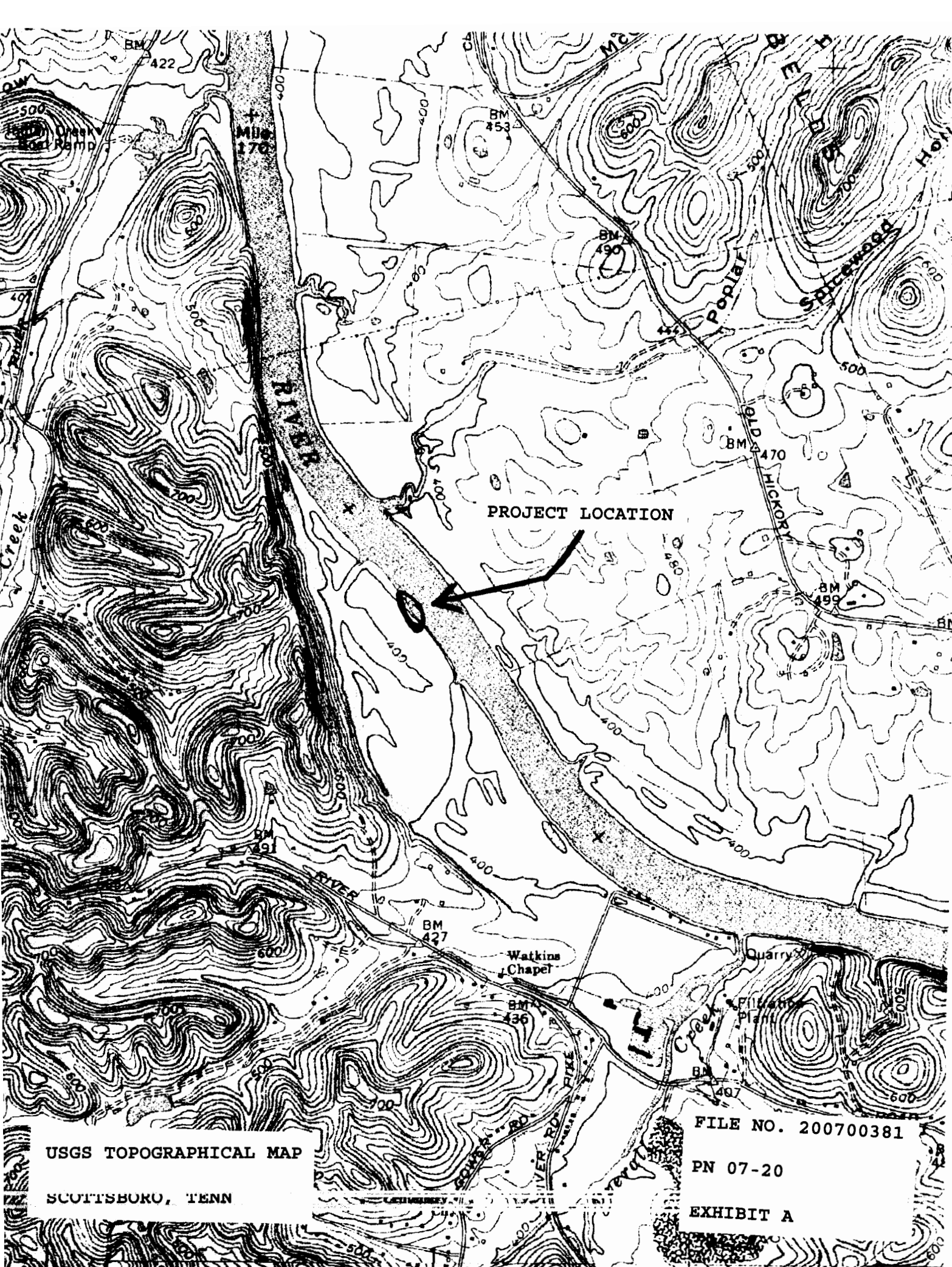
Based on available information, the proposed work will not destroy or endanger any federally-listed threatened or endangered species or their critical habitats, as identified under the Endangered Species Act. Therefore, we have reached a no effect determination and initiation of formal consultation procedures with the U.S. Fish and Wildlife Service is not planned at this time.

Other federal, state, and/or local approvals may be required for the proposed work.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

Written statements received in this office on or before **April 4, 2007**, will become a part of the record and will be considered in the determination. Any response to this notice should be directed to the Regulatory Branch, Attention: Floyd M. Carnes, at the above address, telephone (615) 369-7503.

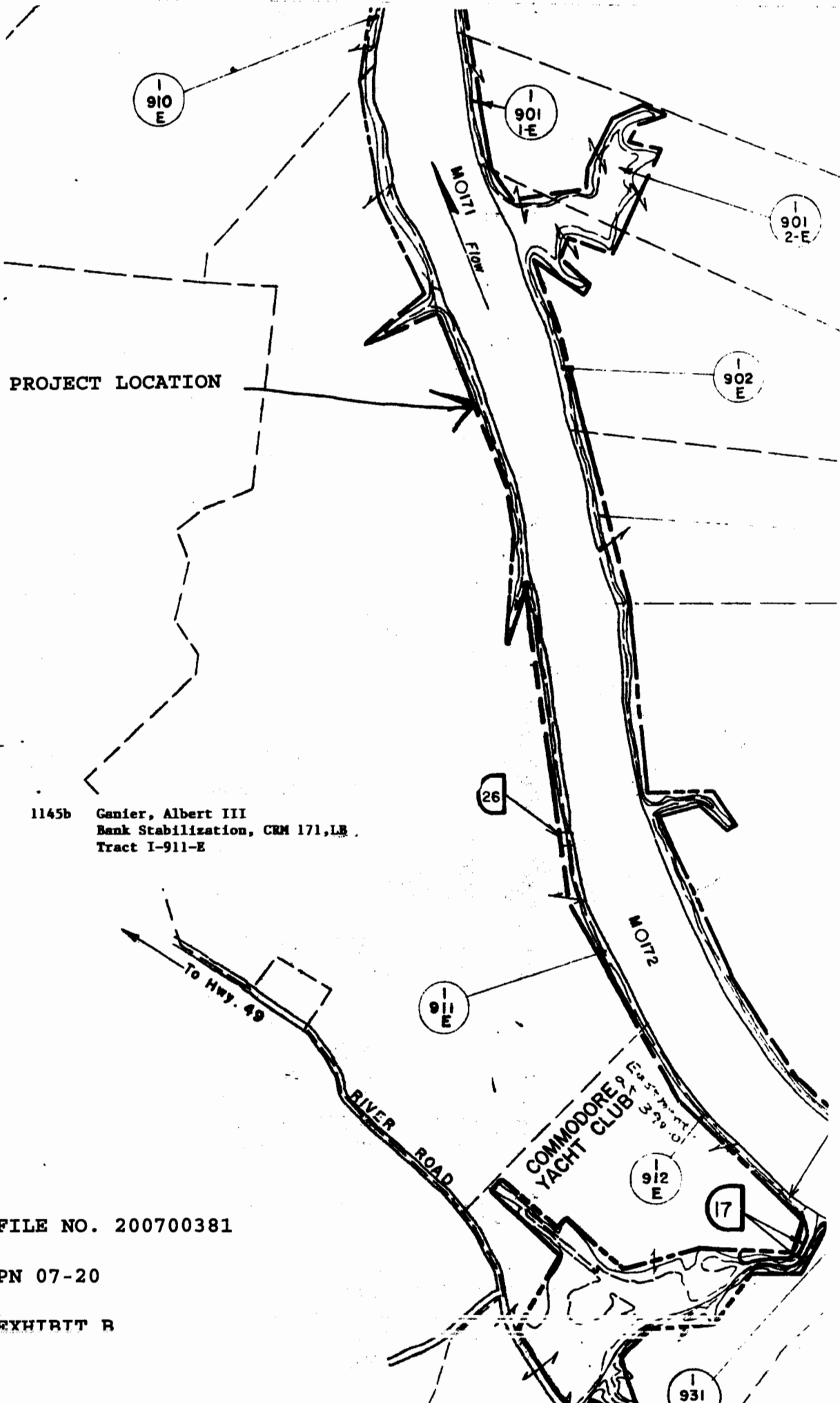
If you received this notice by mail and wish to view all of the diagrams, visit our web site at:
<http://www.lrn.usace.army.mil/cof/notices.htm>, or contact Mr. Carnes at the above address or phone number.



PROJECT LOCATION

USGS TOPOGRAPHICAL MAP
SCOTTSBORO, TENN

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PN 07-20
EXHIBIT A

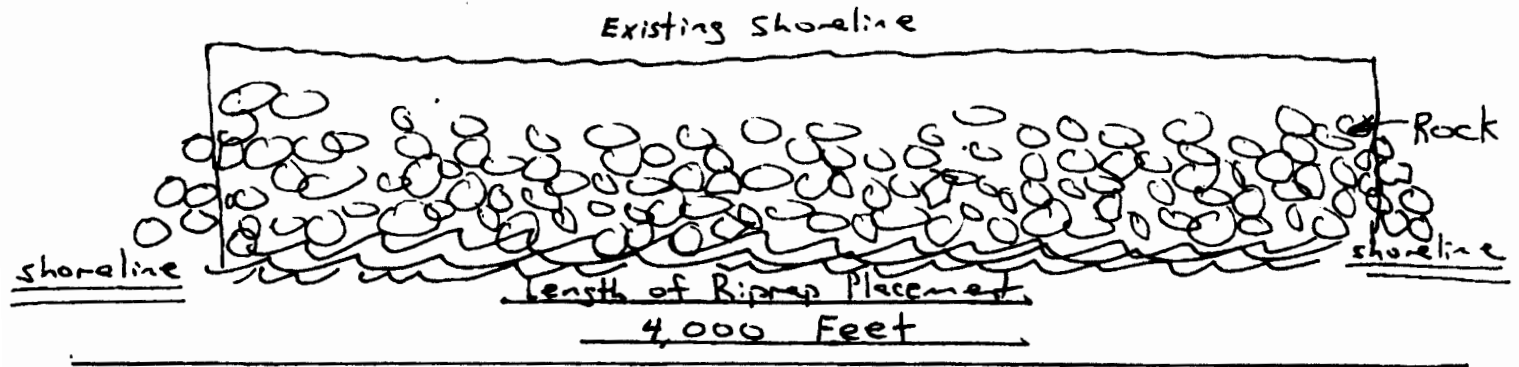


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EXHIBIT B

Proposed Bank Stabilization
Plan View



Section View

